REMARKS

After entry of the foregoing amendment, claims 1-22 are pending in the application.

Submitted herewith is a revised Application Data Sheet adding Tony Rodriguez as a named inventor. Mr. Rodriguez contributed the subject matter detailed in priority application 60/51,586; his omission from the list of inventors in the present application was an oversight without deceptive intent. A substitute declaration, signed by all four of the inventors, is submitted herewith.

Claim 20 has been amended as suggested by the Examiner.

Disclosure of techniques for sensing gestures from image data is disclosed in priority application 09/571,422, which was incorporated by reference. For convenience of the reader, relevant excerpts of the "gesture" disclosure from 09/571,422 have been inserted into the present specification by the foregoing amendment. The undersigned certifies that no new matter has been introduced.

Such clarification is believed to address the Section 112, first- and second-paragraph issues raised in the Action.

All claims stand rejected over Diamond '336 in view of Rhoads '214.

Diamond is understood to disclose a doll with an IR light source and corresponding optical sensor, which recognizes certain object markings, and voices a word, phrase, or sentence in response.

Diamond is not understood to disclose much of the subject matter for which the Office cites it.

For example, contrary to the statement in the Action, Diamond is not understood to disclose a two-dimensional array of optical sensing elements, as required by each of claims 1-20.

Nor does Diamond disclose a book, as referenced in each of claims 2-20.

Most of the dependent claims likewise recite features nowhere taught or suggested by Diamond – again contrary to assertions in the Action. For example and without limitation, Diamond does not teach:

- local storage of phonemes or common words corresponding to a child or a child's family member (claim 5)

- remote storage of phonemes or common words corresponding to a celebrity voice (claim 6)

- retrieving artwork from a data store and printing said artwork for coloring (claim 8)

- linking to an internet web site related to a book or its subject matter (claim 9)

- linking to an interactive multiplayer game related to a book or its subject matter (claim 10)

- substitute words (claim 11)

- retrieving and substituting words from a local store (claim 12)

- soliciting words from a child, recording the child's words, and using said recorded words as substitute words (claim 13)

- substituting words to customize a book text to a particular child or locale (claim 14)

- sensing a gesture and controlling action in accordance therewith (claim 15)

- the gesture causing a page from the book to be read-aloud again (claim 16)

- the gesture controls volume of audio (claim 17)

- the gesture causes text to be read as a faster speed (claim 18)

- the gesture causes text to be read using a different voice (claim 19)

- starting playback of a video at a point corresponding to a book page or cover.

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If the rejection is renewed, the Examiner is requested to provide column/line citations to prior art teaching such features.

The proposed combination with Rhoads is also traversed. The Office has done no more than cite an advantage from Rhoads' teachings, and posit that it would be obvious

to incorporate this aspect of Rhoads into the system of Diamond. But obviousness requires more than such hindsight.

New claims 21 and 22 are added to more fully protect the disclosed inventive work.

Favorable reconsideration and passage to issuance are solicited.

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Respectfully submitted,

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